IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Frank Bähren	**GROUP:**	2152
SERIAL NO:	09/892,783	**EXAMINER:**	Dohm Chankong
FILED:	June 27, 2001		
FOR:	GENERATING AN ADDRESS FOR UNITS OF A SECOND NETWORK CONNECTED TO A FIRST NETWORK		

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

APPEAL BRIEF

This appeal is in response to the Official Action dated October 26, 2006, which has been made final and the Notice of Appeal filed January 26, 2007. A check including the fee of $500 pursuant to 37 C.F.R. §41.20(b) is enclosed herewith.

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date below, with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Kim M. Hume

2/21/07
Date

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I. REAL PARTY OF INTEREST

The real party of interest is Harman Becker Automotive Systems GmbH of Karlsbad, Germany.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

III. STATUS OF CLAIMS

On January 26, 2007, the appellant appealed from the final rejection of claims 7, 10-14, 18-23 and 25 under 35 U.S.C. §103. Claims 7, 10-14, 18-23 and 25, which are set forth in Appendix A attached hereto, are all the remaining claims in this application.

IV. STATUS OF AMENDMENTS

No amendments have been filed subsequent to the final rejection.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The invention relates to generating an address for devices of a second network connected to a first network.

Claim 7 recites a method for generating a second address for each device in a first network. The various elements recited in claim 7 are discussed in the specification (as referred to by paragraphs of the corresponding published U.S. Application No. 2002/0054520) in at least the following locations, amongst others:

FEATURES OF CLAIM 7	SPECIFICATION
In a first network which can be linked to a second network, the first network including a plurality of network devices linked with one another and having an associated first address for unique identification in the first network, a method for generating a second address for each device comprising:	Paragraph [00002]
manipulating the first address of each device by mathematically summing a predetermined number and the first address to derive the second address which is the sum of the first address and the predetermined number, the second address uniquely identifying each such device in the second network, the second address being different than the first address.	Paragraphs [0008]-[0010], [0014]

Claim 14 recites first and second networks linked together, together with the derivation of a second address for each device in the first network. The various elements recited in claim 14 are discussed in the specification (as referred to by paragraphs of the corresponding published U.S. Application No. 2002/0054520) in at least the following locations, amongst others:

FEATURES OF CLAIM 14	SPECIFICATION
In a first network that can be linked to a second network, the first network comprising communicably coupled network devices each having an associated first address that uniquely identifies each device in the first network,	Paragraph [0002]
where each device of the first network also has an associated second address that uniquely identifies each such device in the second network to which the first network is linked, where each second address is derived by mathematically summing a predetermined number to the corresponding first address of each device such that each second address is the sum of the first address and the predetermined number and that each second address is different than the corresponding first address.	Paragraphs [0008]-[0010], [0014]

Claim 22 recites a multimedia system for implementation in a vehicle. The various elements recited in claim 22 are discussed in the specification (as referred to by paragraphs of the corresponding published U.S. Application No. 2002/0054520) in at least the following locations, amongst others:

FEATURES OF CLAIM 22	SPECIFICATION
A multimedia system for implementation in a vehicle comprising:	Paragraph [0004]
a plurality of multimedia devices communicably coupled through a communication link to form a private Media Oriented Systems Transport (MOST) network, where each of the plurality of multimedia devices has associated therewith a first address that uniquely identifies each of the multimedia devices in the MOST network, and where each of the plurality of multimedia devices has associated therewith a second address that uniquely identifies each of the multimedia devices in a public network, where the second address is	Paragraphs [0004]-[0005], [0008]-[0010], [0012]-[0014]

derived by mathematically summing a predetermined number to the corresponding first address such that each second address is the sum of the first address and the predetermined number and that each second address is different than the corresponding first address.	

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 7 and 14 are obvious in view of the combined subject matter disclosed in U.S. Patent 6,101,499 to Ford et al. (hereinafter "Ford") and U.S. Patent 5,731,868 to Koning (hereinafter "Koning").

Whether claim 22 is obvious in view of the combined subject matter disclosed in the MOST spec, Ford and Koning.

Whether claims 23 and 25 are obvious in view of the combined subject matter disclosed in the MOST spec, Ford, Koning and Inoue.

VII. ARGUMENT

Claim 7

Claim 7 recites a method for generating a second address for each device in a first network, where the first network can be linked to the second network, the first network including a plurality of network devices linked with one another and having an associated first address for unique identification in the first network. The method includes the step of:

> "manipulating the first address of each device by mathematically summing a predetermined number and the first address to derive the second address which is the sum of the first address and the predetermined number, the second address uniquely identifying each such device in the second network, the second address being different than the first address." (cl. 7)

A Prima Facie Case of Obviousness Has Not Been Established

The Official Action made final, dated October 26, 2006, maintains the rejections set forth in the Official Action dated April 12, 2006 by reference thereto without specifically restating the substance of those rejections. Thus, all references in this section to "Official Action" are to the Official Action dated April 12, 2006. The Official Action contends that Ford discloses all of the features of claim 7, except the feature of "*manipulating the first address by mathematically summing the first address with a predetermined number, the sum representing the second address.*" (Official Action pg. 3). The Official Action further contends that "*Koning is directed towards an addressing system for dynamically generating a second address for a device in a first network where the device has a first address, the second address representing the device's address in a second network. To this end, Koning discloses manipulating a first address of a device by mathematically summing a predetermined number and the first address to derive the second address which is the sum of the first address and the predetermined number.*" (Official

Action pg. 3). The Official Action recognizes that "*Ford is also directed towards dynamically generating addresses for devices but lacks Koning's ability to calculate multiple addresses for different networks from a single address.*" (Official Action, pgs. 3-4). The Official Action concludes that "*it would have been obvious to one of ordinary skill in the art to incorporate Koning's address generation functionality into Ford's scheme.*" (Official Action pg. 4). The reasons given in the Official Action are that "*[s]uch a combination would supplement and improve Ford's system by enabling another method of deriving from a single address a plurality of unique network addresses for devices to interact in a plurality of networks.*" (Official Action pg. 4).

However, it is respectfully submitted that the Official Action has not made out a *prima facie* showing of obviousness. This is because there is no suggestion or motivation whatsoever in Ford and Koning to combine the teachings of Ford and Koning to meet the features of claim 7. That is, the broad statement in the Official Action mentioned above that Koning combined with Ford would supplement Ford's system by enabling another method of deriving from a single address a plurality of unique network addresses for devices to interact in a plurality of networks does not constitute any suggestion or motivation to combine the two references to meet all of the features of claim 7. Specifically, Koning discloses a networking addressing scheme for deriving a single address for a network device from stored address information relating to other network devices. Koning deals with the problem of uniquely addressing each of a plurality of devices within one or more networks using a single address per device. Koning contends that prior art techniques utilized a dedicated read-only memory ("ROM") chip for storage of each physical address of a central logic unit and of the corresponding ports of a network bridge. This resulted in a plurality of ROM chips, which led to undesirable issues of cost, physical space and power

consumption. (col. 1, line 21 through col. 2, line 9). Koning's solution is to reduce the number of ROM chips and instead use a single ROM chip that stored one or two address values pertaining to one or two network devices. Koning then derives, from these stored address values, the additional physical address values needed to identify each of the remaining devices in the one or more networks. Throughout Koning, a single address is generated for each network device. Koning does not disclose or suggest how to derive a second address from a first address for a single device, where the first address identifies the device in the first network and where the second address identifies the device in the second network, as in the present claimed invention. Indeed, there is no teaching or suggestion whatsoever in Koning that a network device can have more than one address, let alone have more than one address where each address corresponds to the same device as viewed in different networks.

Koning is in marked contrast to Ford in that Ford deals with the problem of assigning a plurality of addresses to a device so that the device can be identified in a corresponding plurality of networks. As alleged in the Official Action, Koning purports to solve this problem by disclosing an addressing system for dynamically generating a second address for a device in a first network where the device has a first address, the second address representing the device's address in a second network. However, this is incorrect because, as discussed above, there is no teaching or suggestion whatsoever in Koning that a network device can have more than one address assigned thereto.

Thus, in Ford, a single network device has a plurality of addresses, whereas in Koning a single network device only has a single address. Thus, the problems addressed in Ford and Koning along with the resulting solutions disclosed in each reference are significant, and not merely trivial, distinctions between the two references. So much so that, as a result, it is

respectfully submitted that no reasonable justification exists for the alleged combination of Ford and Koning to meet the features of claim 7. Therefore, it is respectfully submitted that the Official Action has not made out a *prima facie* case of obviousness and, as such, the rejection of claim 7 should be removed and claim 7 should be passed to issuance.

Response to Arguments in the Official Action made Final

In the Official Action made final, dated October 26, 2006, the Examiner responded to applicant's arguments in the Amendment filed in response to the prior Official Action of April 12, 2006. Applicant now responds to the Examiner's arguments in the Official Action made final, in the order presented therein. Thus, all references in this section to "Official Action" are to the Official Action made final, dated October 26, 2006.

a). The Official Action initially contends that "*applicant's characterization of Koning is inaccurate because* ***Koning expressly teaches generating multiple addresses for a single device.*** *Applicant's characterization of the Koning reference is inaccurate. Applicant's primary argument is that Koning does not teach how to derive a second address from a first address for a single device; Applicant argues that Koning merely teaches a single address for each network device.* ***However, Koning expressly contradicts Applicant's argument***." (emphasis added; Official Action, pg. 2). In support of the contention above that "*Koning expressly teaches generating multiple addresses for a single device*," the Official Action specifically contends that "*first, Koning discloses '[a] processor uses the first address value to derive a second address value from a second, different block of preferably consecutive address values, and then assigns both' (emphasis added) [abstract]*." (Official Action, pg. 2). However, this argument fails in that it does not explicitly state or even suggest that both the first and second

addresses are assigned to the **same device.** The Official Action merely states that the processor "assigns both" (addresses) without stating or suggesting to what the addresses are assigned. Thus, this statement alone cannot be construed as in the Official Action that the processor assigns both addresses to the same device, given the remainder of the disclosure in Koning. In contrast, as discussed above in connection with the remarks addressed to the specific obviousness rejections of the claims, the processor in Koning derives a second address from a first address, but then assigns each of the first and second addresses to **different devices** (e.g., two ports 12, 14 within a bridge 10 – FIG. 1; see col. 3, lines 62-68). There is no teaching or suggestion whatsoever in Koning that a network device such as a port 12, 14 or a central logic unit 16 can have more than one address.

The Official Action then cites to specific locations in Koning as further support for its contention: "*further, these address values 'can be used subsequently for identification purposes, e.g., as source or destination addresses for purposes of communication' [column 2 <<lines 16-20>>]. Further, '[t]his embodiment of the invention is particularly suited for use wherever two addresses are required' [column 2 <<lines 33-38>>]. In other words, Koning's invention provides 'any number of addresses can be made available for use by the device' [column 2 <<lines 60-62>>].*" The Official Action then concludes that "*thus, contrary to Applicant's arguments, Koning is entirely focused on generating multiple addresses for a single device.*" However, the two cited locations within Koning above of col. 2, lines 16-20 and col. 2, lines 33-38 fail to teach or suggest that a device can have more than one address assigned thereto. That is, there is nothing in these two locations that teach or suggest a device with multiple addresses assigned thereto. Also, the cited location within Koning of col. 2, lines 60-62 states that "*any number of addresses can be made available for use by the device.*" However, this statement is

taken out of context in the Official Action due to the failure of the Official Action to cite the entire sentence in which the cited phrase exists in Koning. That entire sentence reads "*[b]y changing one or both of these stored addresses, any number of addresses can be made available for use by the device.*" This statement, when taken in proper context of the entire sentence, simply means that when a stored address is changed, another address can be made available to the device. This is consistent with the teaching in Koning that a second address is derived from a first address, and both the first and second addresses are assigned to different devices (e.g., two ports 12, 14 within a bridge 10 – FIG. 1; see col. 3, lines 62-68). This cited phrase does not mean that, for example a device such as a port 12, 14 or a central logic unit 16 can have more than one address assigned to it.

In light of the foregoing, nothing cited from Koning by the Examiner in the portion of the Official Action noted above supports the Examiner's conclusion that "*thus, contrary to Applicant's arguments, Koning is entirely focused on generating multiple addresses for a single device.*"

b). The Official Action then contends that "*the motivation to combine comes expressly from Koning because* ***Koning recognized an advantage in combining the claimed feature with Ford***." (Official Action, pg. 3). Specifically, the Official Action contends that "*the motivation to combine the references is suggested by Koning. The strongest rationale for combining references is a recognition, expressly or impliedly in the prior art or drawn from a convincing line of reasoning based on established scientific principles or legal precedent, that some advantage or expected beneficial result would have been produced by their combination. In re Sernaker, 702 F.2d 989, 994-95 (Fed. Cir. 1983). Here,* ***Koning teaches that the***

functionality of generating a second address from a first address for a single device *is beneficial because 'expands and [sic] the stored address information into a complete set of addresses' [column 2 <<lines 15-16>>]. Further:*

> *'any number of addresses can be made available for use by the device. This embodiment thus provides maximal flexibility in the number of addresses that the address memory can be made to specify, and efficiency in the use of address memory space, while using address memory chips requiring minimal changes from existing designs and manufacturing techniques' [column 2 <<lines 61-68>>].*

In other words, there is a clear recognition in Koning that there is an expected beneficial result from the functionality. As the Koning and Ford are related towards the same invention, it would have been obvious to incorporate Koning's features into Ford for the advantages discussed above." (emphasis added; Official Action, pg. 3).

However, this argument for the alleged motivation to combine Koning with Ford is premised on the improper interpretation of Koning emphasized above that "*Koning teaches that the functionality of generating a second address from a first address* ***for a single device****."* As discussed in detail hereinabove, Koning does not teach generating a second address from a first address for a single device. Instead, as set forth hereinabove, Koning throughout discloses that a single address is generated for each network device. Thus, in contrast to the contention in the Official Action noted above, because Koning does not teach generating a second address from a first address for a single device, the motivation to combine Koning with Ford does not come expressly from Koning as Koning **did not** recognize an advantage in combining the claimed feature with Ford.

c). Lastly, the Official Action contends that "*applicant's analysis is further erroneous because the test for combining references is what the references would have suggested to one of ordinary skill in the art.*" (Official Action, pg. 4). Specifically, the Official Action contends that "*finally, even if Applicant's characterization of Koning is accurate (which it is not), Applicant's argument is still unsound because the test is not whether Koning, as the secondary reference, teaches all the elements of the claim.* ***The test is what the combined teachings of those references would have suggested to those of ordinary skill in the art.*** *In re Keller, 642 F.2d 413, 425 (CCPA 1981). Here, Koning was relied upon to teach the specific feature of manipulating the first address by mathematically summing the first address with a predetermined number, the sum representing the second address. Ford already taught all the other the features including the feature whereby a network device utilized a first address in one network and a second address in a different network. Thus, Applicant's focus on whether or not Koning teaches that particular claimed element is immaterial to the construction of the rejection. That is, since Ford teaches all but one of the claimed elements, it is of no consequence whether or not Koning's devices have a single address or multiple addresses. What matters is if Koning suggested or taught the claimed element not taught by Ford. The Office asserts, and Applicant does not seem to contest, that Koning does suggest the feature and further suggests that such a combination would be desirable because, as discussed above, it would increase the address space of a communication device without the need of pre-programming the device with multiple addresses. Therefore, incorporating Koning's teachings into Ford's system would be highly desirable.*" (emphasis added; Official Action, pg. 4).

The emphasized portion above from the Official Action contends that "*the test is what the* ***combined teachings of those references*** *would have suggested to those of ordinary skill in*

the art." However, missing from this contention is that there must be some teaching, suggestion or motivation to **combine the references**. It is not enough to merely contend that portions of each of two separate references can be combined to meet all the features of a claim. As discussed above in connection with the substantive arguments made in response to the obviousness rejection of claim 7, the Official Action has not made out a *prima facie* showing of obviousness because there is no suggestion or motivation whatsoever in Ford and Koning to combine the teachings of Ford and Koning to meet the features of claim 7. That is, the broad statement in the Official Action that Koning combined with Ford would supplement Ford's system by enabling another method of deriving from a single address a plurality of unique network addresses for devices to interact in a plurality of networks does not constitute any suggestion or motivation to combine the two references to meet all of the features of claim 7.

In light of the foregoing, it is respectfully submitted that the arguments put forth by the Examiner in the Official Action made final in response to applicant's arguments made in the prior Official Action are inaccurate and without merit. As a result, it is submitted that the obviousness rejection of claim 7 is moot and should be removed, and that claim 7 is in condition for allowance and should be passed to issuance.

CLAIMS 10 AND 12

It is respectfully requested that these rejections are now moot, since claim 7 is patentable for at least the reasons set forth above.

CLAIM 14

As claim 14 currently stands rejected for the identical reasons as claim 7, the arguments above with respect to claim 14 are equally applicable to claim 14. As a result, it is respectfully requested that the obviousness rejection with respect to claim 14 is moot, and that claim 14 is in condition for allowance and should be passed to issuance.

CLAIMS 18 AND 20

It is respectfully requested that these rejections are now moot, since claim 14 is patentable for at least the reasons set forth above.

CLAIM 11

It is respectfully requested that this rejection is now moot, since claim 7 is patentable for at least the reasons set forth above.

CLAIM 19

It is respectfully requested that this rejection is now moot, since claim 14 is patentable for at least the reasons set forth above.

CLAIM 13

It is respectfully requested that this rejection is now moot, since claim 7 is patentable for at least the reasons set forth above.

CLAIM 21

It is respectfully requested that this rejection is now moot, since claim 14 is patentable for at least the reasons set forth above.

CLAIM 22

Claim 22 recites a multimedia system for implementation in a vehicle. The multimedia system includes:

> "a plurality of multimedia devices communicably coupled through a communication link to form a private Media Oriented Systems Transport (MOST) network, where each of the plurality of multimedia devices has associated therewith a first address that uniquely identifies each of the multimedia devices in the MOST network, and where each of the plurality of multimedia devices has associated therewith a second address that uniquely identifies each of the multimedia devices in a public network, where the second address is derived by mathematically summing a predetermined number to the corresponding first address such that each second address is the sum of the first address and the predetermined number and that each second address is different than the corresponding first address." (cl. 22)

A Prima Facie Case of Obviousness Has Not Been Established

The Official Action made final, dated October 26, 2006, maintains the rejections set forth in the Official Action dated April 12, 2006 by reference thereto without specifically restating the substance of those rejections. Thus, all references in this section to "Official Action" are to the Official Action dated April 12, 2006. The Official Action contends that the MOST Specification discloses certain features of claim 22, except the feature of "*each of said plurality of multimedia devices has associated therewith a second address that uniquely identifies each said multimedia device in a public network, wherein the second address is derived by mathematically summing a predetermined number to the corresponding first address such that each second address is the sum of the first address and the predetermined number and that each second address is different*

than the corresponding first address." (Official Action pg. 7). Further, the Official Action contends that Ford discloses certain features of claim 22, except the feature of "*mathematically summing to create the second address.*" (Official Action pg. 7). The Official Action further contends that "*Koning is directed towards an addressing system for dynamically generating a second address for a device in a first network where the device has a first address, the second address representing the device's address in a second network. To this end, Koning discloses manipulating a first address of a device by mathematically summing a predetermined number and the first address to derive the second address which is the sum of the first address and the predetermined number.*" (Official Action pg. 8). The Official Action recognizes that "*Ford is also directed towards dynamically generating addresses for devices but lacks Koning's ability to calculate multiple addresses for different networks from a single address.*" (Official Action, pg. 8). The Official Action concludes that "*it would have been obvious to one of ordinary skill in the art to incorporate Koning's address generation functionality into Ford's scheme.*" (Official Action pg. 8). The reasons given in the Official Action are that "*[s]uch a combination would supplement and improve Ford's system by enabling another method of deriving from a single address a plurality of unique network addresses for devices to interact in a plurality of networks.*" (Official Action pg. 8). The Official Action further contends that "*Koning's invention is commensurate with the goals of the MOST network. Koning desires to enable a device to interact in a plurality of networks with a variety of addresses mathematically derived from a single address [see Koning, column 1 <<lines 11-19>> | claim 6]. The combination of Koning, Ford and the MOST spec would create a dynamic network addressing scheme that enables unique addressing of network devices in vehicles.*" (Official Action pg. 8).

However, it is respectfully submitted that the Official Action has not made out a *prima facie* showing of obviousness. This is because there is no suggestion or motivation whatsoever in the MOST Specification, Ford and Koning to combine the teachings of the MOST Specification, Ford and Koning to meet the features of claim 22. That is, the broad statement in the Official Action mentioned above that Koning combined with Ford would supplement Ford's system by enabling another method of deriving from a single address a plurality of unique network addresses for devices to interact in a plurality of networks does not constitute any suggestion or motivation to combine the two references to meet all of the features of claim 22.

Specifically, Koning discloses a networking addressing scheme for deriving a single address for a network device from stored address information relating to other network devices. Koning deals with the problem of uniquely addressing each of a plurality of devices within one or more networks using a single address per device. Koning contends that prior art techniques utilized a dedicated read-only memory ("ROM") chip for storage of each physical address of a central logic unit and of the corresponding ports of a network bridge. This resulted in a plurality of ROM chips, which led to undesirable issues of cost, physical space and power consumption. (col. 1, line 21 through col. 2, line 9). Koning's solution is to reduce the number of ROM chips and instead use a single ROM chip that stored one or two address values pertaining to one or two network devices. Koning then derives, from these stored address values, the additional physical address values needed to identify each of the remaining devices in the one or more networks. Throughout Koning, a single address is generated for each network device. Koning does not disclose or suggest how to derive a second address from a first address for a single device, where the first address identifies the device in the first network and where the second address identifies the device in the second network, as in claim 22. Indeed, there is no teaching or

suggestion whatsoever in Koning that a network device can have more than one address, let alone have more than one address where each address corresponds to the same device as viewed in different networks.

Koning is in marked contrast to Ford in that Ford deals with the problem of assigning a plurality of addresses to a device so that the device can be identified in a corresponding plurality of networks. As alleged in the Official Action, Koning purports to solve this problem by disclosing an addressing system for dynamically generating a second address for a device in a first network where the device has a first address, the second address representing the device's address in a second network. However, this is incorrect because, as discussed above, there is no teaching or suggestion whatsoever in Koning that a network device can have more than one address assigned thereto.

Thus, in Ford, a single network device has a plurality of addresses, whereas in Koning a single network device only has a single address. Thus, the problems addressed in Ford and Koning along with the resulting solutions disclosed in each reference are significant, and not merely trivial, distinctions between the two references. So much so that, as a result, it is respectfully submitted that no reasonable justification exists for the alleged combination of the MOST Specification, Ford and Koning to meet the features of claim 22. Therefore, it is respectfully submitted that the Official Action has not made out a *prima facie* case of obviousness and, as such, the rejection of claim 22 should be removed and claim 22 should be passed to issuance.

Assuming, however, for the moment, without admitting that the MOST Specification, Ford and Koning are even properly combinable, it is respectfully submitted that a combination of the MOST Specification, Ford and Koning does not meet the all of the features of claim 22. This

is because, as discussed above, Koning fails to disclose or suggest the generation of more than one address for each network device. In particular, the contention in the Official Action noted above for the combination of the MOST Specification, Ford and Koning that "*Koning's invention is commensurate with the goals of the MOST network. Koning desires to enable a device to interact in a plurality of networks with a variety of addresses mathematically derived from a single address*" is factually incorrect.

As a result, it is submitted that the obviousness rejection of claim 22 is moot and should be removed, and that claim 22 is in condition for allowance and should be passed to issuance.

Response to Arguments in the Official Action made Final

In the Official Action made final, dated October 26, 2006, the Examiner responded to applicant's arguments in the Amendment filed in response to the prior Official Action of April 12, 2006. Applicant now responds to the Examiner's arguments in the Official Action made final, in the order presented therein. Thus, all references in this section to "Official Action" are to the Official Action made final, dated October 26, 2006.

a). The Official Action initially contends that "*applicant's characterization of Koning is inaccurate because* ***Koning expressly teaches generating multiple addresses for a single device.*** *Applicant's characterization of the Koning reference is inaccurate. Applicant's primary argument is that Koning does not teach how to derive a second address from a first address for a single device; Applicant argues that Koning merely teaches a single address for each network device.* ***However, Koning expressly contradicts Applicant's argument***." (emphasis added; Official Action, pg. 2). In support of the contention above that "*Koning expressly teaches generating multiple addresses for a single device*," the Official Action specifically

contends that "*first, Koning discloses '[a] processor uses the first address value to derive a second address value from a second, different block of preferably consecutive address values, and then assigns both' (emphasis added) [abstract].*" (Official Action, pg. 2). However, this argument fails in that it does not explicitly state or even suggest that both the first and second addresses are assigned to the **same device.** The Official Action merely states that the processor "assigns both" (addresses) without stating or suggesting to what the addresses are assigned. Thus, this statement alone cannot be construed as in the Official Action that the processor assigns both addresses to the same device, given the remainder of the disclosure in Koning. In contrast, as discussed above in connection with the remarks addressed to the specific obviousness rejections of the claims, the processor in Koning derives a second address from a first address, but then assigns each of the first and second addresses to **different devices** (e.g., two ports 12, 14 within a bridge 10 – FIG. 1; see col. 3, lines 62-68). There is no teaching or suggestion whatsoever in Koning that a network device such as a port 12, 14 or a central logic unit 16 can have more than one address.

The Official Action then cites to specific locations in Koning as further support for its contention: "*further, these address values 'can be used subsequently for identification purposes, e.g., as source or destination addresses for purposes of communication' [column 2 <<lines 16-20>>]. Further, '[t]his embodiment of the invention is particularly suited for use wherever two addresses are required' [column 2 <<lines 33-38>>]. In other words, Koning's invention provides 'any number of addresses can be made available for use by the device' [column 2 <<lines 60-62>>].*" The Official Action then concludes that "*thus, contrary to Applicant's arguments, Koning is entirely focused on generating multiple addresses for a single device.*" However, the two cited locations within Koning above of col. 2, lines 16-20 and col. 2, lines 33-

38 fail to teach or suggest that a device can have more than one address assigned thereto. That is, there is nothing in these two locations that teach or suggest a device with multiple addresses assigned thereto. Also, the cited location within Koning of col. 2, lines 60-62 states that "*any number of addresses can be made available for use by the device.*" However, this statement is taken out of context in the Official Action due to the failure of the Official Action to cite the entire sentence in which the cited phrase exists in Koning. That entire sentence reads "*[b]y changing one or both of these stored addresses, any number of addresses can be made available for use by the device.*" This statement, when taken in proper context of the entire sentence, simply means that when a stored address is changed, another address can be made available to the device. This is consistent with the teaching in Koning that a second address is derived from a first address, and both the first and second addresses are assigned to different devices (e.g., two ports 12, 14 within a bridge 10 – FIG. 1; see col. 3, lines 62-68). This cited phrase does not mean that, for example a device such as a port 12, 14 or a central logic unit 16 can have more than one address assigned to it.

In light of the foregoing, nothing cited from Koning by the Examiner in the portion of the Official Action noted above supports the Examiner's conclusion that "*thus, contrary to Applicant's arguments, Koning is entirely focused on generating multiple addresses for a single device.*"

b). The Official Action then contends that "*the motivation to combine comes expressly from Koning because* ***Koning recognized an advantage in combining the claimed feature with Ford***." (Official Action, pg. 3). Specifically, the Official Action contends that "*the motivation to combine the references is suggested by Koning. The strongest rationale for*

combining references is a recognition, expressly or impliedly in the prior art or drawn from a convincing line of reasoning based on established scientific principles or legal precedent, that some advantage or expected beneficial result would have been produced by their combination. *In re Sernaker,* *702 F.2d 989, 994-95 (Fed. Cir. 1983).* *Here,* ***Koning teaches that the functionality of generating a second address from a first address for a single device*** *is beneficial because 'expands and [sic] the stored address information into a complete set of addresses' [column 2 <<lines 15-16>>]. Further:*

> *'any number of addresses can be made available for use by the device. This embodiment thus provides maximal flexibility in the number of addresses that the address memory can be made to specify, and efficiency in the use of address memory space, while using address memory chips requiring minimal changes from existing designs and manufacturing techniques' [column 2 <<lines 61-68>>].*

In other words, there is a clear recognition in Koning that there is an expected beneficial result from the functionality. As the Koning and Ford are related towards the same invention, it would have been obvious to incorporate Koning's features into Ford for the advantages discussed above." (emphasis added; Official Action, pg. 3).

However, this argument for the alleged motivation to combine Koning with Ford is premised on the improper interpretation of Koning emphasized above that "*Koning teaches that the functionality of generating a second address from a first address* ***for a single device***." As discussed in detail hereinabove, Koning does not teach generating a second address from a first address for a single device. Instead, as set forth hereinabove, Koning throughout discloses that a single address is generated for each network device. Thus, in contrast to the contention in the Official Action noted above, because Koning does not teach generating a second address from a first address for a single device, the motivation to combine Koning with Ford does not come

expressly from Koning as Koning **did not** recognize an advantage in combining the claimed feature with Ford.

c). Lastly, the Official Action contends that "*applicant's analysis is further erroneous because the test for combining references is what the references would have suggested to one of ordinary skill in the art.*" (Official Action, pg. 4). Specifically, the Official Action contends that "*finally, even if Applicant's characterization of Koning is accurate (which it is not), Applicant's argument is still unsound because the test is not whether Koning, as the secondary reference, teaches all the elements of the claim.* ***The test is what the combined teachings of those references would have suggested to those of ordinary skill in the art.*** *In re Keller, 642 F.2d 413, 425 (CCPA 1981). Here, Koning was relied upon to teach the specific feature of manipulating the first address by mathematically summing the first address with a predetermined number, the sum representing the second address. Ford already taught all the other the features including the feature whereby a network device utilized a first address in one network and a second address in a different network. Thus, Applicant's focus on whether or not Koning teaches that particular claimed element is immaterial to the construction of the rejection. That is, since Ford teaches all but one of the claimed elements, it is of no consequence whether or not Koning's devices have a single address or multiple addresses. What matters is if Koning suggested or taught the claimed element not taught by Ford. The Office asserts, and Applicant does not seem to contest, that Koning does suggest the feature and further suggests that such a combination would be desirable because, as discussed above, it would increase the address space of a communication device without the need of pre-programming the device with multiple*

addresses. Therefore, incorporating Koning's teachings into Ford's system would be highly desirable." (emphasis added; Official Action, pg. 4).

The emphasized portion above from the Official Action contends that "*the test is what the **combined teachings of those references** would have suggested to those of ordinary skill in the art.*" However, missing from this contention is that there must be some teaching, suggestion or motivation to **combine the references**. It is not enough to merely contend that portions of each of two separate references can be combined to meet all the features of a claim. As discussed above in connection with the substantive arguments made in response to the obviousness rejection of claim 22, the Official Action has not made out a *prima facie* showing of obviousness because there is no suggestion or motivation whatsoever in Ford and Koning to combine the teachings of Ford and Koning to meet the features of claim 22. That is, the broad statement in the Official Action that Koning combined with Ford would supplement Ford's system by enabling another method of deriving from a single address a plurality of unique network addresses for devices to interact in a plurality of networks does not constitute any suggestion or motivation to combine the two references to meet all of the features of claim 22.

In light of the foregoing, it is respectfully submitted that the arguments put forth by the Examiner in the Official Action made final in response to applicant's arguments made in the prior Official Action are inaccurate and without merit. As a result, it is submitted that the obviousness rejection of claim 22 is moot and should be removed, and that claim 22 is in condition for allowance and should be passed to issuance.

CLAIMS 23 AND 25

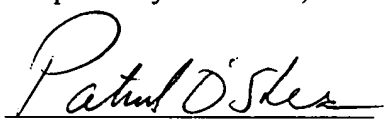
It is respectfully requested that these rejections are now moot, since claim 22 is patentable for at least the reasons set forth above.

CONCLUSION

For all the foregoing reasons, we submit that the rejection of claims 7, 10-14, 18-23 and 25 is erroneous and reversal thereof is respectfully requested.

If there are any additional fees due in connection with the filing of this appeal brief, please charge them to our Deposit Account 50-3381. If a fee is required for any extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should be charged to the above Deposit Account.

Respectfully submitted,



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CLAIMS APPENDIX

1. (Cancelled)

2. (Cancelled)

3. (Cancelled)

4. (Cancelled)

5. (Cancelled)

6. (Cancelled)

7. (Previously Presented) In a first network which can be linked to a second network, the first network including a plurality of network devices linked with one another and having an associated first address for unique identification in the first network, a method for generating a second address for each device comprising:

manipulating the first address of each device by mathematically summing a predetermined number and the first address to derive the second address which is the sum of the first address and the predetermined number, the second address uniquely identifying each such device in the second network, the second address being different than the first address.

8. (Cancelled)

9. (Cancelled)

10. (Previously Presented) The method of claim 7, where the first network comprises a private network and the second network comprises a public network.

11. (Previously Presented) The method of claim 7, where the first network comprises a Media Oriented Systems Transport (MOST) network.

12. (Previously Presented) The method of claim 7, where the second network comprises the Internet.

13. (Previously Presented) The method of claim 7, where the first network includes a firewall as an interface between the first network and the second network.

14. (Previously Presented) In a first network that can be linked to a second network, the first network comprising communicably coupled network devices each having an associated first address that uniquely identifies each device in the first network,

where each device of the first network also has an associated second address that uniquely identifies each such device in the second network to which the first network is linked, where each second address is derived by mathematically summing a predetermined number to the corresponding first address of each device such that each second address is the sum of the first

address and the predetermined number and that each second address is different than the corresponding first address.

15. (Cancelled)

16. (Cancelled)

17. (Cancelled)

18. (Previously Presented) The network of claim 14, where the first network comprises a private network and the second network comprises a public network.

19. (Previously Presented) The network of claim 14, where the first network comprises a Media Oriented Systems Transport (MOST) network.

20. (Previously Presented) The network of claim 14, where the second network comprises the Internet.

21. (Previously Presented) The network of claim 14, where the first network includes a firewall as an interface between the first network and the second network.

22. (Previously Presented) A multimedia system for implementation in a vehicle comprising:

a plurality of multimedia devices communicably coupled through a communication link to form a private Media Oriented Systems Transport (MOST) network, where each of the plurality of multimedia devices has associated therewith a first address that uniquely identifies each of the multimedia devices in the MOST network, and where each of the plurality of multimedia devices has associated therewith a second address that uniquely identifies each of the multimedia devices in a public network, where the second address is derived by mathematically summing a predetermined number to the corresponding first address such that each second address is the sum of the first address and the predetermined number and that each second address is different than the corresponding first address.

23. (Previously Presented) The multimedia system of claim 22, further comprising:

a firewall residing on the MOST network for linking the MOST network to the public network.

24. (Cancelled)

25. (Previously Presented) The multimedia system of claim 22, where the public network comprises the Internet.

EVIDENCE APPENDIX

None

RELATED PROCEEDINGS APPENDIX

None